



# **Rotonda West Association Inc.**

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**June 03, 2020**

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# Core Policies

## 1.0 Welcome

### 1.1 A Welcome Policy

Welcome! You have just joined a dedicated organization. We hope that your employment with Rotonda West Association Inc. (RWA) will be rewarding and challenging. We take pride in our employees as well as in the products and services we provide.

The Organization complies with all federal and state employment laws, and this handbook generally reflects those laws. The Organization also complies with any applicable local laws, although there may not be an express written policy regarding those laws contained in the handbook.

The employment policies and/or benefits summaries in this handbook are written for all employees. Please take the time now to read this handbook carefully. Sign the acknowledgment at the end to show that you have read, understood, and agree to the contents of this handbook, which sets out the basic rules and guidelines concerning your employment. This handbook supersedes any previously issued handbooks or policy statements dealing with the subjects discussed herein. The Organization reserves the right to interpret, modify, or supplement the provisions of this handbook at any time. Neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. Please understand that no employee handbook can address every situation in the work place.

If you have questions about your employment or any provisions in this handbook, contact the RWA Manager.

We wish you success in your employment here at Rotonda West Association Inc.!

All the best,

RWA Manager Rotonda West Association Inc.

### 1.2 At-Will Employment (PEO)

Your employment with Rotonda West Association Inc. is on an "at-will" basis. This means your employment may be terminated at any time, with or without notice and with or without cause. Likewise, we respect your right to leave the Organization at any time, with or without notice and with or without cause.

Nothing in this handbook or any other Organization document should be understood as creating a contract, guaranteed or continued employment, a right to termination only "for cause," or any other guarantee of continued benefits or employment. Only the RWA Manager has the authority to make promises or negotiate with regard to guaranteed or continued employment, and any such promises are only effective if placed in writing and signed by the RWA Manager.

If a written contract between you and the Organization is inconsistent with this handbook, the written contract is controlling. However, as to Paychex Business Solutions, the written contract between you and the Organization does not control if it is inconsistent with this handbook.

Nothing in this handbook will be interpreted, applied, or enforced to interfere with, restrain, or coerce employees in the exercise of their rights under Section 7 of the National Labor Relations Act.

## **1.3 Important Definitions**

Rotonda West Association Inc. has entered into an agreement with Paychex Business Solutions, a professional employer organization (PEO). Paychex Business Solutions was selected by the company to help employees enjoy the many company benefits offered through this concept.

The term "Organization," as used throughout this handbook, refers exclusively to Rotonda West Association Inc., your worksite employer, who is primarily responsible for directing your day-to-day duties. The terms "we," "us," and "our" refer to Rotonda West Association Inc. and not Paychex Business Solutions, unless otherwise stated.

Where this handbook refers to current benefit plans maintained by the Organization and/or Paychex Business Solutions, refer to the actual plan documents and summary plan descriptions if you have specific questions regarding the benefit plans. Those documents are controlling.

Paychex Business Solutions is not bound by the terms of any contract between employees and the Organization unless it is executed by the PEO.

## **2.0 Introductory Language and Policies**

### **2.1 Ethics Code**

Rotonda West Association Inc. will conduct business honestly and ethically wherever operations are maintained. We strive to improve the quality of our services, products, and operations and will maintain a reputation for honesty, fairness, respect, responsibility, integrity, trust, and sound business judgment. Our managers and employees are expected to adhere to high standards of business and personal integrity as a representation of our business practices, at all times consistent with their duty of loyalty to the Rotonda West Association Inc..

We expect that employees will not knowingly misrepresent the Organization and will not speak on behalf of the Organization unless specifically authorized. The confidentiality of trade secrets, proprietary information, and similar confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) about the Organization or operations, or that of our customers or partners, is to be treated with discretion and only disseminated on a need-to-know basis (see policies relating to privacy).

Violation of the Code of Ethics can result in discipline, up to and including termination of employment. The degree of discipline imposed may be influenced by the existence of voluntary disclosure of any ethical violation and whether or not the violator cooperated in any subsequent investigation.

## **3.0 Hiring and Orientation Policies**

### **3.1 Conflicts of Interest**

Rotonda West Association Inc. is concerned with conflicts of interest that create actual or potential job-related concerns, especially in the areas of confidentiality, customer relations, safety, security, and morale. If there is any actual or potential conflict of interest between you and a competitor, supplier, distributor, or contractor to the Organization, you must disclose it to your Supervisor. If an actual or potential conflict of interest is determined to exist, the Organization will take such steps as it deems necessary to reduce or eliminate this conflict.

### **3.2 Employment of Relatives and Friends**

A supervisor may not hire or supervise an individual if that individual and the supervisor have an on-going romantic relationship, including but not limited to, marriage, or if that individual is a member of the

supervisor's immediate family. The term "immediate family" refers to parents, children, sisters, brothers, nieces, nephews or other family members residing in the same household.

In the case of marriage of persons within the same department, an effort will be made to assign comparable job duties so as to minimize problems of supervision, safety, security and morale.

### **3.3 Training Program**

The initiation of all on-the-job training for employees within your department is the responsibility of the RWA manager. This may include safety training, participation in off-site training and continuing education when necessary for job safety and work performance. Training will be conducted during regular working hours whenever possible. The association will pay for any required training programs. Employees may be tested from time to time to evaluate the effectiveness of the training program. If you have any questions regarding training, please see the RWA manager.

### **3.4 Employment Authorization Verification**

New hires will be required to complete Section 1 of federal Form I-9 on the first day of paid employment and must present acceptable documents authorized by the U.S. Citizenship and Immigration Services proving identity and employment authorization no later than the third business day following the start of employment with Rotonda West Association Inc. If you are currently employed and have not complied with this requirement or if your status has changed, inform your Supervisor.

If you are authorized to work in this country for a limited period of time, you will be required to submit proof of renewed employment eligibility prior to expiration of that period to remain employed by the Organization.

## **4.0 Wage and Hour Policies**

### **4.1 Attendance Policy**

If you know ahead of time that you will be absent or late, provide reasonable advance notice to your Supervisor. You may be required to provide documentation of any medical or other excuse for being absent or late where permitted by applicable law.

Rotonda West Association Inc. reserves the right to apply unused vacation, sick time, or other paid time off to unauthorized absences where permitted by applicable law. Absences resulting from approved leave, vacation, or legal requirements are exceptions to the policy.

### **4.2 Direct Deposit**

Rotonda West Association Inc. encourages all employees to enroll in direct deposit. If you would like to take advantage of direct deposit, ask the RWA Manager for an application form.

If you have selected the direct deposit payroll service, a written explanation of your deductions will be given to you on paydays described in the preceding sections in lieu of a check.

### **4.3 Job Abandonment**

If you fail to show up for work or fail to call in with an acceptable reason for the absence for a period of three consecutive days, you will be considered to have abandoned your job and voluntarily resigned from Rotonda West Association Inc.

## **4.4 Paycheck Deductions**

Rotonda West Association Inc. is required by law to make certain deductions from your pay each pay period. This includes income and unemployment taxes, Federal Insurance Contributions Act (FICA) contributions (Social Security and Medicare), and any other deductions required under law or by court order for wage garnishments. The amount of your tax deductions will depend on your earnings and the information you list on your federal Form W-4 and applicable state withholding form. You may also authorize voluntary deductions from your paycheck, including contributions for insurance premiums, retirement plans, spending accounts, or other services. Your deductions will be reflected in your wage statement.

The Organization will not make deductions to your pay that are prohibited by federal, state, or local law. If you have any questions about deductions from your pay, contact your Supervisor. You will be reimbursed in full for any isolated, inadvertent, or improper deductions, as defined by law. If an error is found, you will receive an immediate adjustment, which will be paid no later than your next regular payday.

## **4.5 Posting of Work Schedules**

Work assignments will be distributed by the RWA manager. When possible, you will be advised of future assignments in advance, so you will have ample time to prepare for the assignment.

Once you have begun an assignment you will report directly to the RWA manager for all matters relating to its completion.

## **4.6 Recording Time**

Rotonda West Association Inc. is required by applicable federal, state, and local laws to keep accurate records of hours worked by certain employees. To ensure that the Organization has complete and accurate time records and that employees are paid for all hours worked, nonexempt employees are required to record all working time using Organization time cards/time sheets/punch clock/timekeeping application/other. Exempt employees may also be required to track days or time worked. Speak with your Supervisor for specific instructions.

You must accurately record all of your time to ensure you are paid for all hours worked and must follow established Organization procedures for recording your hours worked. Time must be recorded as follows:

- Immediately before starting your shift.
- Immediately after finishing work, before your meal period.
- Immediately before resuming work, after your meal period.
- Immediately after finishing work.
- Immediately before and after any other time away from work.

Time sheets/time cards are to be turned in to your Supervisor or appropriate department no later than 9 am every other Monday.

If you are required to clock in, you should clock in no more than five minutes ahead of your start time and clock out no later than five minutes after your quitting time.

Notify your Supervisor or appropriate department of any pay discrepancies, unrecorded or misreported work hours, or any involuntarily missed meal or break periods. Falsifying time entries is strictly prohibited. Falsifying time entries includes working "off the clock." If you falsify your own time records, or the time records of co-workers, or if you work off the clock, you will be subject to discipline up to and including termination. Immediately report to your Supervisor or appropriate department any employee, supervisor, or manager who falsifies your time entries or encourages or requires you to falsify your time entries or work off the clock.

## 4.7 Travel Expenses

The purpose of this policy is to define approved business travel expenses and the authority for incurring and approving such expenses at Rotonda West Association Inc..

The association will reimburse employees for reasonable expenses incurred through pre-approved business travel or entertainment. All cash advances must be accounted for and expense receipts are required.

### Travel Expenses for Reimbursement

The Organization pays the actual amounts incurred for appropriate expenses when you are on travel assignments.

- Airline or travel expense
- Business related meals and lodging.
- Car rental, mileage, bus, taxi, or parking.
- Associated gratuities.
- Other expenses necessary to achieve the business purposes.

*This list is not all-inclusive. Please contact the RWA Manager regarding additional reimbursable business related expenses.*

## 5.0 Performance, Discipline, Layoff, and Termination

### 5.1 Resignation Policy

Rotonda West Association Inc. hopes that your employment with the Organization will be a mutually rewarding experience; however, the Organization acknowledges that varying circumstances can cause you to resign employment. The Organization intends to handle any resignation in a professional manner with minimal disruption to the workplace.

#### Notice

The Organization requests that you provide a minimum of two weeks' notice of your resignation. Provide a written resignation letter to your Supervisor. If you provide less notice than requested, the Organization may deem you to be ineligible for rehire, depending on the circumstances of the notice given.

The Organization reserves the right to provide you with pay in lieu of notice in situations where job or business needs warrant.

#### Final Pay

The Organization will pay separated employees in accordance with applicable laws and other sections of this handbook.

Notify the Organization if your address changes during the calendar year in which resignation occurs to ensure tax information is sent to the correct address.

#### Return of Property

Return all Organization property at the time of separation, including [[list items to be returned, such as uniforms, cellphones, keys, tools, laptops, credit cards, and identification cards]]. Failure to return some items may result in deductions from your final paycheck where state law allows. [[In some circumstances, the Organization may pursue criminal charges for failure to return Organization property.]]

## **5.2 Outside Employment**

The Organization recognizes that you may seek additional employment during off hours, but in all cases, expects that any outside employment will not affect job performance, work hours, or scheduling, or otherwise adversely affect your ability to effectively perform your duties. However, if you are planning to accept an outside position, you must notify the RWA Manager. Employees may not use association property, equipment, or facilities in connection with any outside work while on association time.

Any conflicts should be reported to your Supervisor. Failure to adhere to this policy may result in discipline up to and including termination.

## **5.3 Pay Raises**

Depending on your performance and our association's profitability, adjustments in your pay may be made when there has been an improvement in or sustainment of an already good performance during your annual review on or before your anniversary date.

## **5.4 Performance Improvement**

Rotonda West Association Inc. will make efforts to periodically review your work performance. The performance improvement process will take place annually, or as business needs dictate. You may specifically request that your Supervisor assist you in developing a performance improvement plan at any time.

The performance improvement process is a means for increasing the quality and value of your work performance. Your initiative, effort, attitude, job knowledge, and other factors will be addressed. You must understand that a positive job performance review does not guarantee a pay raise or continued employment. Pay raises and promotions are based on numerous factors, only one of which is job performance.

## **5.5 Progressive Employee Disciplinary Procedures**

It is the expectation that all employees will conduct themselves according to generally accepted standards of conduct and performance. When employees do not meet these standards, it is the supervisor's responsibility to act in a timely manner and initiate a program of disciplinary steps to address the problem. Examples of situations which may require the supervisor to take immediate action include, but are not limited to, fighting in the workplace, theft, refusal to perform work, excessive absenteeism, alcohol and/or drug use, or chronic tardiness.

This policy presents the basic principles and procedures of a system of progressive discipline which is intended to ensure that all employees are treated as consistently and fairly as possible throughout the Company. The disciplinary program has four major purposes:

- To ensure that the employee knows what the problem is.
- To communicate what the supervisor's expectations are in order for the employee to correct the problem.
- To provide appropriate penalties for improper work conduct.

### **Progressive Discipline**

Progressive discipline is a formal process which includes several steps or levels of discipline, each of which provides the employee with the opportunity to correct the problem or inadequacy.

### **Preliminary Actions**

Prior to moving to formal discipline, the supervisor should do the following:

1. Do a thorough fact-finding which includes collection of all information and applicable records.
2. Hold a discussion in private with the employee. During the discussion, the supervisor should state the problem clearly and allow the employee to respond.
3. Provide a follow up letter as soon after the meeting as possible. The letter should include the date and time of the follow-up meeting, a brief statement of the problem, the supervisor's expectations, and the conclusion reached in the meeting. The stage of discipline must be clearly noted, and a statement made that lack of improvement will result in further discipline.

## **The Steps of Progressive Discipline**

There are **four steps** in the progressive discipline process; however, in cases of misconduct or repeated infractions, the process may be shortened and the supervisor, in consultation with the Department of Human Resources, may move directly to a later step in the process, including termination.

All disciplinary action should be taken within a reasonable time frame it is recommended that no more than two days elapse between the time the supervisor learns or has knowledge of the offense and the action is taken.

**1. Oral Warning.** Oral warnings are appropriate for minor first offenses. It is important that supervisors not overuse the oral warning for the same type of offense no more than two oral warnings should be given.

The supervisor should have a full discussion with the employee before giving the warning to ensure that the employee has the opportunity to respond or to give additional information. If the supervisor believes that an oral warning is appropriate, it should be made clear to the employee that the oral warning is the first step in the progressive discipline process. The oral warning should be documented for the supervisor's record and it is recommended that a note summarizing the warning be given to the employee. The record and note should record the date, time, and reason for the warning. The RWA Manager shall keep a record of oral warning.

### **2. Written Warning.**

After an employee has received an oral warning, a subsequent offense should be addressed by a written reprimand as appropriate. Supervisors must review the draft of the written reprimand with management and Human Resources. The supervisor and employee first meet to discuss the problem. In the discussion, the supervisor must review the incident or performance problem which requires the reprimand and the supervisor and employee should exchange ideas and information regarding solution(s) to the problem. The written reprimand should be given to the employee directly following the discussion for signature, with copies to management and the employee's official personnel file.

**3. Suspension.** Suspension, without pay, is the third step of the disciplinary procedure. It is intended to indicate to the employee the seriousness of the infraction and that the employee can reasonably expect that the next step is termination of employment. There may be instances when a final written warning may be more appropriate, and may, upon consultation with management and Human Resources, substitute for a suspension.

**4. Termination.** Termination of employment is the culmination of the progressive discipline process or the penalty for very serious offenses.

## **5.6 Post-Employment References**

Rotonda West Association Inc. policy is to confirm dates of employment, salary/pay, and job title only. We will not honor any verbal request for references. With written authorization, the Organization may confirm compensation. Forward any requests for employment verification to the RWA Manager.

Under no circumstances should an employee provide another individual with information regarding current or former employees of our association. If you receive a request for reference information, please forward it to the RWA manager.

## **5.7 Open Door/Conflict Resolution Policy**

Rotonda West Association Inc. strives to provide a comfortable, productive, legal, and ethical work environment. To this end, we want you to bring any problems, concerns, or grievances you have about the workplace to the attention of the RWA Manager. To help manage conflict resolution we have instituted the following problem solving procedure:

If you believe there is inappropriate conduct or activity on the part of the Organization, management, its employees, vendors, customers, or any other persons or entities related to the Organization, bring your concerns to the attention of the RWA Manager at a time and place that will allow the person to properly listen to your concern. Most problems can be resolved informally through dialogue between you and your immediate Supervisor. If you have already brought this matter to the attention of your Supervisor before and do not believe you have received a sufficient response, or if you believe that person is the source of the problem, present your concerns to the RWA Manager. Describe the problem, those persons involved in the problem, efforts you have made to resolve the problem, and any suggested solution you may have. If the RWA Manager is the source of the issue, please contact the RWA President to determine the appropriate resolution.

## **5.8 Promotions**

We believe that career advancement is rewarding for both the employee and the association. We will promote qualified employees to new or vacated positions whenever possible. In addition, you can discuss transfer opportunities with your supervisor.

## **5.9 Standards of Conduct**

Rotonda West Association Inc. wishes to create a work environment that promotes job satisfaction, respect, responsibility, integrity, and value for all our employees, clients, customers, and other stakeholders. We all share in the responsibility of improving the quality of our work environment. By deciding to work here, you agree to follow our rules.

While it is impossible to list everything that could be considered misconduct in the workplace, what is outlined here is a list of common-sense infractions that could result in discipline, up to and including immediate termination of employment. This policy is not intended to limit our right to discipline or discharge employees for any reason permitted by law.

Examples of inappropriate conduct include:

- Violation of the policies and procedures set forth in this handbook.
- Possessing, using, distributing, selling, or negotiating the sale of illegal drugs or other controlled substances.
- Being under the influence of alcohol during working hours on Organization property (including in Organization vehicles), or on Organization business.
- Inaccurate reporting of the hours worked by you or any other employees.
- Providing knowingly inaccurate, incomplete, or misleading information when speaking on behalf of the Organization or in the preparation of any employment-related documents including, but not limited to, job applications, personnel files, employment review documents, intra-company communications, or expense records.
- Taking or destroying Organization property.
- Possession of potentially hazardous or dangerous property (where not permitted) such as firearms, weapons, chemicals, etc., without prior authorization.
- Fighting with, or harassment of (as defined in our EEO policy), any fellow employee, vendor, or customer.
- Disclosure of Organization trade secrets and proprietary and confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development information, customer lists, patents, trademarks, etc.) of the Organization or its customers, contractors, suppliers, or vendors.

- Refusal or failure to follow directions or to perform a requested or required job task.
- Refusal or failure to follow safety rules and procedures.
- Excessive tardiness or absences.
- Smoking in non-designated areas.
- Working unauthorized overtime.
- Solicitation of fellow employees on Organization premises during working hours.
- Failure to dress according to Organization policy.
- Use of obscene or harassing (as defined by our EEO policy) language in the workplace.
- Engaging in outside employment that interferes with your ability to perform your job at this Organization.
- Gambling on Organization premises.
- Lending keys or keycards to Organization property to unauthorized persons.

Nothing in this policy is intended to limit your rights under the National Labor Relations Act, or to modify the at-will employment status where at-will is not prohibited by state law.

## **5.10 Workforce Reductions (Layoffs)**

If necessary based upon business needs, Rotonda West Association Inc. management may decide to implement a reduction in force (RIF). We acknowledge that RIFs can be a trying experience for all involved, and the Organization will make its best effort to make sound business decisions while acknowledging the needs of its workforce.

## **6.0 General Policies**

### **6.1 Sexual Harassment Policy**

We are committed to the maintenance of an environment free of all forms of discrimination or coercion that adversely affect the working or learning environment. It is fitting that the Employer reaffirms this commitment, specifically as it pertains to sexual harassment or harassment relating to a person's race, sex, sexual orientation, religion, national origin, age or physical condition.

#### **Policy and Definition**

It is the policy of the Employer that no member of the Association may sexually harass another. Unwelcomed sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when:  
 Submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment or participation in other Employer activities, or  
 Submission to or rejection of such conduct by an individual is used as a basis for evaluation in making personnel decisions affecting the individual or  
 Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive company environment.  
 In determining whether an alleged behavior constitutes sexual harassment, the full context in which the incident occurred shall be considered.

#### **Guidelines**

It is a violation of Employer policy to fail to investigate complaints reported by the person who is the subject of the alleged sexual harassment, or reported by a witness, and to fail to take timely corrective action in the event misconduct has occurred.

Filing a complaint or otherwise reporting sexual harassment shall not cause any reflection on the individual's status as a faculty member, contract staff member, classified staff member, or student, nor shall

it affect future employment, compensation, work assignment, or evaluation of the individual. Retaliation against a person for filing a sexual harassment complaint is grounds for a subsequent harassment complaint. Likewise, the person accused of sexual harassment is entitled to the same protection until such a time as the charges may be substantiated by an investigation.

A false allegation of sexual harassment is a violation of this policy and is itself subject to the procedures and sanctions following. To constitute such a violation, however, the complaint would ordinarily need to be false as to specific allegation of fact. That an investigating party or committee should, while agreeing on factual matters alleged, nevertheless differ in judgment or interpretation of the incident and conclude that it did not constitute sexual harassment, would not make the complaint a violation apart from evidence of conscious and willful intent to distort or exaggerate the allegation and damage the accused party.

The rights of confidentiality of all parties involved in a sexual harassment charge shall be strictly observed.

## **Procedure for an Informal Complaint**

### **Consultation**

In most cases, complaints of sexual harassment can be dealt with informally. The RWA Manager or RWA President (if the complaint involves the Manager) will seek resolution of the complaint.

The RWA Manager will evaluate the validity of the complaint and the degree of seriousness of the offense and seek, to the extent possible and appropriate, to resolve the matter. An informal resolution might take the form of clarifying to the offending party the kind of behavior that may be deemed objectionable and securing the cessation of such behavior; it might also take the form of clarifying to the complaining party that the incident does not constitute harassment.

Careful attention should be given to mitigating or aggravating circumstances.

Although a major purpose of consultation and informal resolution is to resolve problems, heighten awareness, and achieve changes in behavior without resorting to formal investigatory or disciplinary proceedings, nothing in this paragraph should be construed as discouraging more formal procedures when the seriousness or repetitive character of the offense makes that the more appropriate course of action or when the complaining party is not satisfied with the proposed resolution. The administrator may encourage moving to a formal complaint when, in his or her judgment, the complaint has a sufficient degree of seriousness, or is a repetition of previous complaints, so as to indicate that informal resolution has been inadequate.

### **Procedure for a Formal Complaint**

If, following consultation regarding the complaint as specified above, the person alleging sexual harassment should wish to make a formal complaint, he or she should submit a written description of the offensive behavior and the circumstances surrounding it to either the RWA Manager or the RWA Administration and Personnel Committee. Upon receipt of the written statement, the alleged offender should be provided with a copy of the statement and identity of the party making the complaint.

### **Investigation**

For allegations against employees, the investigation and determination of sanctions will be handled under the existing policies stated in the Employee Handbook and procedures of the human resources office.

For allegations against the RWA Manager, the committee will be composed of the RWA President, the Vice-President, and Treasurer.

Members of the committee shall meet to discuss the complaint. Unless the committee concludes that the complaint is without merit, the parties to the dispute should be invited to appear before the committee and to confront any adverse witnesses. The committee may conduct its own informal inquiry, call witnesses, and gather whatever information it deems necessary to assist it in reaching a determination as to the merits of the allegations. Once such a determination has been reached, it should be communicated in writing to both parties, along with a summary of the basis for the determination.

## **Policy and Definition**

Discriminatory, demeaning, or abusive behavior based on race, sex, sexual orientation, religion, national origin, age, or physical condition constitutes harassment when such behavior affects the conditions of an individual's employment or access to learning or interferes with an individual's work performance or creates an intimidating, hostile or offensive employer environment.

## **Guidelines and Procedures**

Such harassment is subject to the same guidelines and procedures that apply to sexual harassment. As with sexual harassment, the following apply:

Initial emphasis is on the effort to resolve the problem and effect any necessary changes in behavior without more formal procedures.

The circumstances of the alleged offense, including any mitigating or aggravating factors, and the seeming intent of the behavior (and, if the allegation is sustained, any history of previous offenses of a related nature) will be carefully considered in determining the fact and the degree of seriousness of an offense.

Any imposition of sanctions on all employees is subject to the processes and procedures of the policy statements on harassment in the proper handbooks.

## **Sexist Language**

It is not the intent of this policy to regard as harassment most of what ordinarily is meant by the term sexist language. The foregoing definitions, procedures, and sanctions do not apply to an individual's personal choice among conventions of language that fall within the broad and changing range of common English usage, for example, the generic use of "man," "mankind," or masculine pronouns.

## **Resolution Concerning Nonsexist Language**

As part of the Employer's ongoing commitment to speaking and writing effectively and of our general goal of promoting social equality, members of the Employer community should avoid linguistic practices that may be construed as undermining equality.

## **6.2 Bulletin Boards**

The association maintains an official bulletin board located in the break room for providing employees with official Organization notices, including wage and hour laws, changes in policies, and other employment-related notices. At times, the Organization may also post information of general interest to employees on the bulletin board. You are responsible for being informed about this material by periodically reviewing the bulletin board. Only authorized personnel may add and remove notices from the bulletin board.

## **6.3 Computer Security and Copying of Software**

Software programs purchased and provided by Rotonda West Association Inc. are to be used only for creating, researching, and processing materials for Organization use. By using Organization hardware, software, and networking systems you assume personal responsibility for their use and agree to comply with this policy and other applicable Organization policies, as well as city, state, and federal laws and regulations.

All software acquired for or on behalf of the Organization, or developed by Organization employees or contract personnel on behalf of the Organization, is and will be deemed Organization property. It is the policy of the Organization to respect all computer software rights and to adhere to the terms of all software licenses to which the Organization is a party.

You may not illegally duplicate any licensed software or related documentation. Unauthorized duplication of software may subject you and/or the Organization to both civil and criminal penalties under the United States Copyright Act.

You may not duplicate, copy, or give software to any outsiders including clients, contractors, customers, and others. You may use software on local area networks or on multiple machines only in accordance with applicable license agreements entered into by the Organization.

Employees learning of any misuse of software or related documentation within the association shall notify a member of management. Employees who reproduce, acquire or use unauthorized copies of computer software will be subject to discipline, up to and including discharge.

#### **6.4 Driving Record**

All employees required to operate a motor vehicle as part of their employment duties at Rotonda West Association Inc. must maintain a valid driver's license and acceptable driving record. The Organization may run a motor vehicle department check to determine your driving record. It is your responsibility to provide a copy of your current driver's license for your personnel file. Any changes in your driving record, including but not limited to driving infractions, must be reported to the Organization within 5 days.

#### **6.5 Employer Sponsored Social Events**

Rotonda West Association Inc. holds periodic social events for employees. Be advised that your attendance at these events is voluntary and does not constitute part of your work-related duties. Any exceptions to this policy must be in writing and signed by a Supervisor prior to the event.

Alcoholic beverages may be available at these events. If you choose to drink alcoholic beverages, you must do so in a responsible manner. Do not drink and drive. Instead, please call a taxi or appoint a designated driver.

#### **6.6 Non-solicitation/Non-distribution Policy**

To avoid disruption of business operations or disturbance of employees, visitors, and others, Rotonda West Association Inc. has implemented a Non-solicitation/Non-distribution Policy. For purposes of this policy, "solicitation" includes, but is not limited to, selling items or services, requesting contributions, and soliciting or seeking to obtain membership in or support for any organization. Solicitation performed through verbal, written, or electronic means is covered by the Non-solicitation/Non-distribution Policy.

You are prohibited from soliciting other employees during your assigned working time. For this purpose, working time means time during which either you or the employees who are the object of the solicitation are expected to be actively engaged with assigned work. You may conduct solicitations during your lunch period, coffee breaks, or other authorized nonworking time, so long as you do so when the other employees are also on nonworking time.

To avoid inappropriate litter, clutter, and safety risks, you may not distribute literature or other items that are not work related in working areas at any time. Working areas do not include break/rest areas, lunch rooms, or parking lots. Electronic distribution of materials is prohibited during work time. Literature that violates the company's equal employment opportunity (EEO) and non-harassment policies (including threats of violence), or is knowingly and recklessly false, is never permitted. Non-employees are not permitted to distribute materials on company premises at any time.

This policy is not intended to restrict the statutory rights of employees, including the right to discuss terms and conditions of employment.

Violations of this policy should be reported to Supervisor.

#### **6.7 Off-Duty Use of Employer Property or Premises**

You may not use Rotonda West Association Inc. property for personal use during working time. You are responsible for returning Organization property in good condition and repairing or replacing any property damaged as the result of personal use or as the result of negligence. This includes use of copy machines, computers, Organization products, or office supplies for personal use without prior authorization.

It is Organization policy to control off duty and nonworking hour use of Organization facilities either for business or personal reasons. You are prohibited from using Organization facilities during off duty or nonworking hours without the written consent of your Supervisor. If you use Organization facilities during your off-duty hours or Organization off-hours, you may be required to sign a log-in and log-out sheet maintained by the Organization or building manager.

## **6.8 Suggestion Policy**

At Rotonda West Association Inc., we welcome suggestions for continued improvement and welcome your ideas for better ways to do your job, produce or sell the products or services of our Organization, or meet customer and client needs. Discuss your ideas with your Supervisor or another member of the management team.

We also encourage you to offer any suggestions derived from seminars, magazines, or other outside sources of information you believe would add value to the Organization.

Understand that any suggestions, innovations, inventions, or other matter created by you on work time or with Organization tools or property are considered to be the property of the Organization.

## **6.9 Personal Appearance**

Your personal appearance reflects on the reputation, integrity, and public image of Rotonda West Association Inc. All employees are required to report to work neatly groomed and dressed. The association maintains a business casual dress code. You are expected to maintain personal hygiene habits that are generally accepted in the community, including clean clothing, good grooming and personal hygiene, and appropriate attire for the workplace and the work being performed. This may include wearing uniforms or protective safety clothing and equipment, depending upon the job. Use common sense and good judgment in determining what to wear to work.

Fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products, should be used in moderation out of concern for others with sensitivities or allergies.

The Organization, in accordance with applicable law, will reasonably accommodate employees with disabilities or religious beliefs that make it difficult for them to comply fully with the personal appearance policy unless doing so would impose an undue hardship on the Organization. Contact your Supervisor to request a reasonable accommodation.

Failure to comply with the personal appearance standards may result in being sent home to groom or change clothes. Frequent violations may result in disciplinary action, up to and including termination of employment.

## **6.10 Personal Cell Phone/Mobile Device Use**

While Rotonda West Association Inc. permits employees to bring personal cell phones and other mobile devices (i.e. smart phones, PDAs, tablets, laptops) into the workplace, you must not allow the use of such devices to interfere with your job duties or impact workplace safety and health.

Use of personal cell phones and mobile devices at work can be distracting and disruptive and cause a loss of productivity. Using cellular telephones to text message during working hours while on association premises should be minimized as much as possible. Thus, you should primarily use such personal devices during nonworking time, such as breaks and meal periods. During this time, use devices in a manner that is courteous to those around you. Outside of nonworking time, use of such devices should be minimal and limited to emergency use only. If you have a device that has a camera and/or audio/video recording capability, you are restricted from using those functions on Organization property unless authorized in advance by management or when they are used in a manner consistent with your right to engage in concerted activity under section 7 of the National Labor Relations Act (NLRA).

You are expected to comply with Organization policies regarding the protection of confidential and proprietary information when using personal devices.

While operating a vehicle on work time, the Organization requires that the driver's personal cell phone/mobile device be turned off. If you need to make or receive a phone call while driving, pull off the road to a safe location unless you have the correct hands-free equipment for the device that is in compliance with applicable state laws.

You may not connect your personal device to the Organization network or to Organization equipment (computers, printers, etc.).

Nothing in this policy is intended to prevent employees from engaging in protected concerted activity under the NLRA.

You will be subject to disciplinary action up to and including termination of employment for violation of this policy.

### **6.11 Personal Data Changes**

It is your obligation to provide Rotonda West Association Inc. with your current contact information, including current mailing address and telephone number. Inform the Organization of any changes to your marital or tax withholding status. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. To make changes to this information, contact the RWA Manager.

### **6.12 Security**

All employees are responsible for helping to make Rotonda West Association Inc. a secure work environment. Upon leaving work, lock all desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or similar devices to your Supervisor immediately. Refrain from discussing specifics regarding Organization security systems, alarms, passwords, etc. with those outside of the Organization.

Immediately advise your Supervisor of any known or potential security risks and/or suspicious conduct of employees, customers, or guests of the Organization. Safety and security is the responsibility of all employees and we rely on you to help us keep our premises secure.

### **6.13 Social Media Policy**

At Rotonda West Association Inc., we recognize the Internet provides unique opportunities to participate in interactive discussions and share information using a wide variety of social media. However, use of social media also presents certain risks and carries with it certain responsibilities. To minimize risks to the Organization, you are expected to follow our guidelines for appropriate use of social media.

This policy applies to all employees who work for the Organization.

#### Guidelines

For purposes of this policy, **social media** includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether associated or affiliated with the Organization, as well as any other form of electronic communication.

Organization principles, guidelines, and policies apply to online activities just as they apply to other areas of work. Ultimately, you are solely responsible for what you communicate in social media. You may be personally responsible for any litigation that may arise should you make unlawful defamatory, slanderous, or libelous statements against any customer, manager, owner, or employees of the Organization.

### Know and Follow the Rules

Ensure your postings are consistent with these guidelines. Postings that include unlawful discriminatory remarks, harassment, and threats of violence or other unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

### Be Respectful

The Organization cannot force or mandate respectful and courteous activity by employees on social media during nonworking time. If you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as unlawful, slanderous, threatening, or that might constitute unlawful harassment. Examples of such conduct might include defamatory or slanderous posts meant to harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, age, national origin, religion, veteran status, or any other status or class protected by law or Organization policy. Your personal posts and social media activity should not reflect upon or refer to the Organization.

### Maintain Accuracy and Confidentiality

When posting information:

- Maintain the confidentiality of trade secrets, intellectual property, and confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) related to the Organization.
- Do not create a link from your personal blog, website, or other social networking site to an Organization website that identifies you as speaking on behalf of the Organization.
- Never represent yourself as a spokesperson for the Organization. If the Organization is a subject of the content you are creating, do not represent yourself as speaking on behalf of the Organization. Make it clear in your social media activity that you are speaking on your own behalf.
- Respect copyright, trademark, third-party rights, and similar laws and use such protected information in compliance with applicable legal standards.

### Using Social Media at Work

Do not use social media while on your work time, unless it is work related as authorized by the RWA Manager or consistent with policies that cover equipment owned by the Organization.

### Media Contacts

If you are not authorized to speak on behalf of the Organization, do not speak to the media on behalf of the Organization. Direct all media inquiries for official Organization responses to the RWA Manager.

### Retaliation and Your Rights

Retaliation or any other negative action is prohibited against anyone who, based on a reasonable belief, reports a possible deviation from this policy or cooperates in an investigation. Those who retaliate against others for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

Nothing in this policy is designed to interfere with, restrain, or prevent employees from communications regarding wages, hours, or other terms and conditions of employment, or to restrain employees in exercising any other right protected by law. All employees have the right to engage in or refrain from such activities.

## **6.14 Telephone Use**

It is important to keep our telephone lines free for owner calls. Although the occasional use of the association's telephones for a personal emergency may be necessary, routine personal calls should be kept to a minimum.

## **6.15 Third Party Disclosures**

From time to time, Rotonda West Association Inc. may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former employees, newspapers, law enforcement agencies, and other outside persons may contact our employees to obtain information about the incident or the actual or potential lawsuit.

If you receive such a contact, you should not speak on behalf of the Organization and should refer any call requesting the position of the Organization to the RWA Manager. If you have any questions about this policy or are not certain what to do when such a contact is made, contact the RWA Manager.

## **6.16 Use of Employer Vehicles**

Company vehicles are to be used for Rotonda West Association Inc. business only. Unless the use of the vehicle has been approved for personal use, personal or outside business use is strictly prohibited. The use of seat belts is mandatory for operators and passengers of association vehicles.

As the driver of an Organization vehicle, you are responsible for the vehicle while in your charge and must not permit unauthorized persons to drive it.

If you drive an Organization vehicle, all infractions or violations while driving the vehicle and all restrictions, suspensions, or revocations against your driver's license must be immediately reported to your Supervisor.

When an Organization vehicle cannot be operated, is unsafe for use, or has been damaged, notify your Supervisor immediately.

Smoking, including the use of e-cigarettes or vaping is prohibited in the association vehicle. You are also responsible for the daily housekeeping of the vehicle; it is to remain clean and uncluttered.

You may not operate a motor vehicle while under the influence of alcohol or a chemical substance or other substance that can impair judgment. You may not operate a motor vehicle while texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

Multiple driving moving violations that appear on the annual state department of motor vehicle check will result in suspension of rights to drive an Organization vehicle or drive a personal vehicle on Organization business. Suspension of rights will continue until one year has passed with no infractions. If there are persistent and ongoing problems with driving infractions, and driving a vehicle is a part of successful execution of job responsibilities, you may be terminated.

## **6.17 Workplace Privacy and Right to Inspect**

Rotonda West Association Inc. property, including but not limited to lockers, phones, computers, tablets, desks, work place areas, vehicles, or machinery, remains under the control of the Organization and is subject to inspection at any time, without notice to any employees, and without their presence.

You should have no expectation of privacy in any of these areas. We assume no responsibility for the loss of, or damage to, your property maintained on Organization premises including that kept in lockers and desks.

## **7.0 Benefits**

### **7.1 Nonexempt Personnel**

If you are classified as nonexempt at the time of your hiring, you will be eligible for minimum wage and overtime pay in accordance with federal, state, and local laws. If you have a question regarding whether you are exempt or nonexempt, contact your Supervisor for clarification.

## 7.2 Employee Assistance Program (EAP)

Rotonda West Association Inc. provides confidential assistance through its employee assistance program (EAP) to all eligible employees [[and their family members/dependents]]. The EAP provides confidential access to professional counseling services for help with personal concerns that may impact job performance. These concerns may include, but are not limited to, health, marital, family, financial, legal, emotional, alcohol abuse, and drug use. The EAP can help assess the problem, offer guidance, and provide a referral to quality care.

Voluntary participation in the EAP will not jeopardize your opportunities for promotion or employment. You can contact the EAP directly. Any information about your contact, participation, or any recommended treatment is confidential and will not be disclosed to the Organization.

In certain circumstances, you may be referred to the EAP by your Supervisor due to job performance issues.

EAP services are available to eligible participants without charge; however, the cost of referrals to treatment or rehabilitation is your responsibility if it is not completely covered by insurance.

EAP services can be initiated by contacting the EAP service provider.

## 7.3 Emergency Paid Sick Leave Policy (COVID-19)

Rotonda West Association Inc. provides eligible employees with emergency paid sick leave under certain conditions between April 1, 2020 and December 31, 2020 under the Emergency Paid Sick Leave Act, which is part of the Families First Coronavirus Response Act (FFCRA).

### Eligibility

All employees are eligible for emergency paid sick leave.

### Reason for Leave

You may take emergency paid sick leave if you are unable to work (or telework) because:

1. You are subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. You have been advised by a health care provider to self-quarantine because of COVID-19;
3. You are experiencing symptoms of COVID-19 and are seeking a medical diagnosis;
4. You are caring for an individual or are advised to quarantine or isolate;
5. You are caring for a child whose school or place of care is closed, or whose childcare provider is unavailable, due to COVID-19 precautions; or
6. You are experiencing substantially similar conditions as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

### Potential Exemption

The Organization, as a small business with fewer than 50 employees, under certain circumstances, may need to deny emergency paid sick leave under this policy if granting such leave would jeopardize the viability of the Organization's business as an ongoing concern. The Organization is exempt from the requirement of providing emergency paid sick leave to care for your son or daughter whose school or place of care is closed, or whose child care is unavailable, for COVID-19 related reasons when:

- Such paid leave would cause the Organization's expenses and financial obligations to exceed available business revenue and cause the Organization to cease operating at a minimal capacity;
- The absence of those requesting such leave would pose a substantial risk to the financial health or operational capacity of the Organization because of their specialized skills, knowledge of the business, or responsibilities; or

- The Organization cannot find enough other workers who are able, willing, and qualified and who will be available at the time and place needed, to perform the labor or services those requesting leave provide, and these labor and services are needed for the Organization to operate at a minimum capacity.

Duration/Compensation

Full-time employees are entitled to up to 80 hours of paid sick leave for qualifying events. Part-time employees are entitled to take the number of hours they would normally be scheduled to work during a two-week period.

For employees with varying hours, one of the following methods for determining the number of hours paid will be used:

- If the individual has worked six months or more, the average number of hours that the individual was scheduled per day over the six-month period ending on the date on which the individual takes leave, including hours for which they took leave of any type.
- If the individual has worked less than six months, the expected number of hours to be scheduled per day at the time of hire.

The rate of your pay depends on your reason(s) for taking leave. If you:

- Are subject to a federal, state, or local quarantine or isolation order related to COVID-19, pay is at the greater of your regular rate or the applicable minimum wage, capped at \$511 per day.
- Have been advised by a health care provider to self-quarantine because of COVID-19 concerns, pay is at the greater of your regular rate or the applicable minimum wage, capped at \$511 per day.
- Choose to obtain a medical diagnosis because you are experiencing symptoms of COVID-19, pay is at the greater of your regular rate or the applicable minimum wage, capped at \$511 per day.
- Caring for or assisting an individual who is subject to an order or recommendation as described in bullet 1 or 2 above, pay is at two-thirds of the greater of your or the applicable minimum wage, capped at \$200 per day.
- Are caring for your child because of school or daycare closure, or because the child care provider is unavailable, due to COVID-19, pay is at two-thirds of the greater of your regular rate or the applicable minimum wage, capped at \$200 per day.
- Are experiencing any other substantially similar condition specified by the Secretary of Health and Human Services, pay is at two-thirds of the greater of your regular rate or the applicable minimum wage, capped at \$200 per day.

Leave Rules

You may elect to use emergency paid sick leave before using any accrued paid leave. The Organization will coordinate any interaction between local, state, and federal leave laws, including emergency paid sick leave laws, to the extent necessary and consistent with those laws.

No leave provided by the Organization before April 1, 2020 may be credited against your leave entitlement. In addition, no unused emergency paid sick leave can be carried over after December 31, 2020 or paid to you.

Requesting Leave

If you need to take emergency paid sick leave, provide notice as soon as possible. Normal call-in procedures apply to all absences from work.

Intermittent Use of Leave

If the Organization directs or allows you to telework, but you are unavailable to do so because of one of the qualifying reasons for emergency paid sick leave, the Organization may agree to allow you to take paid sick leave intermittently, in any agreed increment of time. If you normally report to work at an Organization worksite, the Organization may agree to allow you to take paid sick leave in any agreed increment of time

to care for your son or daughter whose school or place of care is closed, or child care provider is unavailable, because of a COVID-19 related reason.

### Documentation

When requesting emergency paid sick leave, you must provide the following information (verbally or in writing):

- Your name;
- Date(s) for which leave is requested;
- Qualifying reason for the leave; and
- Verbal or written statement that you are unable to work because of the qualified reason for leave.

To take emergency paid sick leave for a qualifying COVID-19 related reason under bullet 1 above, you must additionally provide the name of the government entity that issued the quarantine or isolation order.

To take emergency paid sick leave for a qualifying COVID-19 related reason under bullet 2 above, you must additionally provide the name of the health care provider who advised you to self-quarantine due to concerns related to COVID-19.

To take emergency paid sick leave for a qualifying COVID-19 related reason under bullet 3 above, you must additionally provide either:

- The name of the government entity that issued the quarantine or isolation order to which the individual being cared for is subject; or
- The name of the health care provider who advised the individual being cared for to self-quarantine due to concerns related to COVID-19.

To take emergency paid sick leave for a qualifying COVID-19 related reason under bullet 5 above, you must additionally provide:

- The name of the child being cared for;
- The name of the school, place of care, or child care provider that has closed or become unavailable; and
- A representation that no other suitable person will be caring for the child during the period for which you take emergency paid sick leave.

The Organization may also request you to provide such additional material as needed to support a request for tax credits pursuant to the FFCRA. The Organization is not required to provide leave if materials sufficient to support the applicable tax credit have not been provided.

### Retaliation

The Organization will not retaliate against employees who request or take leave in accordance with this policy.

### Expiration

This policy expires on December 31, 2020.

## **7.4 Expanded Family and Medical Leave Policy (COVID-19)**

Rotonda West Association Inc. provides eligible employees with up to 12 weeks of expanded family and medical leave for a qualifying need related to a public health emergency between April 1, 2020 and December 31, 2020 under the Families First Coronavirus Response Act (FFCRA).

### Eligibility

Expanded family and medical leave is available to all employees that have been employed by the Organization for at least 30 calendar days. You are considered to have been employed by the Organization for at least 30 calendar days if:

- You were on the Organization's payroll for the 30 days immediately prior to the day your leave would begin; or
- You were laid off or otherwise terminated by the Organization on or after March 1, 2020 and were rehired or otherwise re-employed by the Organization on or before December 31, 2020, provided that you had been on the Organization's payroll for leave upon reinstatement if you had been previously employed by the Organization for 30 or more of the 60 calendar days prior to your layoff or termination.

### Reason for Leave

Leave under this policy is limited to circumstances where you are unable to work (including telework) due to your need to care for your son or daughter whose school or place of care has been closed, or whose child care provider is unavailable, for reasons related to COVID-19. **Son or daughter** means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or is 18 years of age or older and is incapable of self-care because of a mental or physical disability.

Your need for leave under this policy is qualifying only if no suitable person is available to care for your child during the period of such leave.

### Requesting Leave

If you need to take expanded family and medical leave, provide notice as soon as possible. Normal call-in procedures apply to all absences from work.

### Duration of Leave

You will have up to 12 weeks of leave to use from April 1, 2020, through December 31, 2020 for the reason stated above.

### Intermittent Use of Leave

If the Organization directs or allows you to telework, but you are unavailable to do so because you need to care for your son or daughter whose school or place of care is closed, or child care provider is unavailable, because of a COVID-19-related reason, the Organization may agree to allow you to take extended FMLA leave intermittently, in any agreed increment of time. If you normally report to work at a Organization worksite, the Organization may agree to allow you to take extended FMLA leave in any agreed increment of time to care for your son or daughter whose school or place of care is closed, or child care provider is unavailable, because of a COVID-19 related reason.

### Compensation

The first 10 days (two weeks) of expanded family and medical leave are unpaid. However, during this period, you may use accrued paid vacation, sick, or personal leave and will receive the full amount of such accrued leave. You may also elect to use the paid leave provided under the Emergency Paid Sick Leave Act, which provides pay up to a maximum of \$200 per day. After the first two workweeks of expanded family and medical leave, leave will be paid at two-thirds of your regular rate of pay for the number of hours you would otherwise be scheduled to work. Pay will not exceed \$200 per day and \$10,000 in total, or \$12,000 in total if using emergency paid sick leave for the first two weeks. Any unused portion of this pay will not carry over to the next year.

The Organization will coordinate any interaction between local, state, and federal leave laws, including emergency paid sick leave laws, to the extent necessary and consistent with those laws.

For employees with varying hours, one of the following methods for determining the number of hours paid will be used:

- If the individual has worked six months or more, the average number of hours that the employee was scheduled per day over the six-month period ending on the date on which the individual takes leave, including hours for which they took leave of any type.
- If the individual has worked less than six months, the expected number of hours to be scheduled per day at the time of hire.

[[Optional: Employees [may/must] also supplement the two-thirds pay with accrued paid time off, not to exceed 100 percent of regular pay.]]

### Documentation

When requesting expanded family and medical leave, you must provide the following information (verbally or in writing):

1. Your name;
2. Date(s) for which leave is requested;
3. Qualifying reason for the leave;
4. Verbal or written statement that you are unable to work because of the qualified reason for leave;
5. The name of the child being cared for;
6. The name of the school, place of care, or child care provider that has closed or become unavailable; and
7. A representation that no other suitable person will be caring for the child during the period for which you take expanded family and medical leave.

The Organization may also request you provide additional materials as needed to support a request for tax credits pursuant to the FFCRA. The Organization is not required to provide leave if materials sufficient to support the applicable tax credit have not been provided.

### Restoration

Upon returning to work at the end of leave, you will generally be placed in your original job or an equivalent job with equivalent pay and benefits. You will not lose any benefits that accrued before leave was taken. The law provides an exception for employers with fewer than 25 employees. In such circumstances, if you take family and medical leave, the Organization may not need to return you to your position if:

- The position does not exist due to changes in the Organization's economic or operating condition that affect employment and were caused by the coronavirus emergency;
- The Organization makes "reasonable efforts" to restore you to an equivalent position; and
- If these efforts fail, the Organization makes an additional reasonable effort to contact you if an equivalent position becomes available. The "contact period" is the one-year window beginning on the earlier of:
  - The date on which you no longer need to take leave to care for your child; or
  - 12 weeks after your paid leave commences.

### Retaliation

The Organization will not retaliate against employees who request or take leave in accordance with this policy.

### Potential Exemption

The Organization, as a small business with fewer than 50 employees, may need to deny otherwise qualifying leave under this policy if granting such leave would jeopardize the viability of the Organization's business as an ongoing concern. The Organization is exempt from the requirement of providing expanded family and medical leave when:

- Such leave would cause the Organization's expenses and financial obligations to exceed available business revenue and cause the Organization to cease operating at a minimal capacity;

- The absence of those requesting such leave would pose a substantial risk to the financial health or operational capacity of the Organization because of their specialized skills, knowledge of the business, or responsibilities; or
- The Organization cannot find enough other workers who are able, willing, and qualified and who will be available at the time and place needed, to perform the labor or services those requesting leave provide, and these labor and services are needed for the Organization to operate at a minimum capacity.

Expiration

This policy expires on December 31, 2020.

**7.5 Vacation Policy**

Rotonda West Association Inc. provides employees with paid vacation.

Eligibility

All full time and part time employees are eligible to receive vacation time and can start to use after completing your first 90 days of employment.

Deposits Into Your Leave Account

Vacation is calculated according to your work anniversary year.

The amount of vacation received each year is based on your length of service. Part time associates receive paid vacation time in proportion to the number of hours they normally are scheduled to work.

- After 90 days of employment, you shall earn 1 week of paid vacation.
- After completing one full anniversary year, you shall earn 2 weeks of paid vacation.
- After completing five full anniversary years, you shall earn 3 weeks of paid vacation.
- After completing ten full anniversary years, you shall earn 4 weeks of paid vacation.
- After completing twenty or more years of service, you shall earn 5 weeks of paid vacation.

Part-time regular employees receive vacation time in proportion to their work schedule.

Vacation granted during your first year of employment will be prorated based on your hire date.

Leave Usage and Requests for Leave

The Organization encourages you to use your vacation time. You are eligible to begin using vacation immediately upon completion of your introductory period.

You must request vacation from your Supervisor as far in advance as possible, but at least [ two weeks in advance. The Organization will generally grant requests for vacation when possible, taking business needs into consideration.

During a Leave of Absence

Organization may require you to use any unused vacation during disability or family medical leave, or any other leave of absence, where permissible under local, state, and federal law.

You will not accrue vacation during unpaid leaves of absence, or other periods of inactive service, unless vacation accrual is required by applicable federal, state, or local law.

Carryover

Unused vacation can be carried over to the following year up to a maximum of one week.

Separation of Employment

Upon separation if you provide at least two weeks' advance notice of resignation you will be paid for an earned but unused vacation, unless state law dictates otherwise.

## **7.6 Employee Assistance Program**

Eligible full-time and part-time employees may participate in our employee assistance program immediately upon hire.

Our Balance *Works*, Employee Assistance Program (EAP), and Work/Life Benefit help eligible employees and their immediate families with a wide range of problems. Situations addressed by the EAP include marriage and family problems, emotional problems, alcoholism and alcohol abuse, drug abuse and dependency, financial problems, compulsive gambling and eating disorders. Your conversations and all records are strictly confidential. The administrative cost of this program is fully paid by the association.

Additional information regarding this program is available at [www.eniweb.com](http://www.eniweb.com) or by calling 1-800-EAPCALL. Complete details of this program may be obtained from the RWA manager.

## **7.7 401(k) Plan**

Eligible employees (as determined by the terms of the plan) may participate in the Rotonda West Association Inc. 401(k) plan.

The association's contribution, if any, is determined by the employer on an annual basis. Refer to your Summary Plan Description (SPD) for specifics.

Contact the RWA Manager to find out if you are eligible to participate in the Organization 401(k) plan. The Organization is required to let you know if you are eligible.

This benefit, as well as other benefits, may be canceled or changed at the discretion of the Organization, unless otherwise required by law.

## **7.8 Holidays**

Rotonda West Association Inc. offers the following paid holidays each year:

New Year's Day

President's Day

Memorial Day

Independence Day

Labor Day

Thanksgiving Day

Day after Thanksgiving

Christmas Eve

Christmas Day

In addition to the above holidays, you will also receive one floating holiday designated by management each year.

If one of the above holidays falls on a Saturday, it normally is observed on the preceding Friday. If a holiday falls on a Sunday, it will be observed on the Monday.

Full time and part time employees are eligible for paid holidays immediately upon hire.

Exempt employees will receive holiday pay in compliance with state and federal wage and hour laws.

Non-Exempt employees are eligible for holiday pay in proportion to the number of hours they are normally scheduled to work.

Non-Exempt employees must work their scheduled work day before and after the holiday in order to be paid for the holiday, unless you are absent with prior permission from the RWA manager.

## **7.9 Sick Pay**

Full-time and part-time employees are eligible, immediately upon hire 24 paid sick hours (3 days). After one full anniversary year and each year after employees will earn 40 sick hours per year (5 days). Sick days may not be carried over each year. Employees are not paid in lieu of taking sick time each year.

Notify your Supervisor as far in advance as possible if you are going to take sick time off. There may be occasions, such as sudden illness, when you cannot notify your Supervisor in advance. In those situations, provide notification of your circumstances as soon as possible. You may also be requested to provide a certificate of illness to your Supervisor.

You may use sick leave benefits for dental or doctor visits or to care for immediate family members who are sick. There may also be state mandated use of sick time. Unused sick days may not be converted to a cash payment. You may be required to use available sick leave during family and medical leave, disability leave, or other leave.

## **7.10 Bereavement Leave**

Rotonda West Association Inc. recognizes the importance of taking leave when there is a death in the family. Where bereavement leave is not required by law, the Organization will provide bereavement leave as follows:

All employees are eligible immediately upon hire for 5 days of paid bereavement leave for the death of an immediate family member.

Members of the immediate family include spouses, domestic partners, parents, brothers, sisters, children, children of domestic partners, grandchildren, grandparents, parents-in-law and parents of domestic partners.

Full-time and part-time employees are eligible immediately upon hire for three paid days to attend the funeral of aunts, uncles, nieces and nephews.

Part-time employees are eligible for bereavement pay in proportion to the number of hours they normally are scheduled to work.

Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

You may use accrued but unused vacation or sick leave if additional time is needed. Additional unpaid time off may be granted at the discretion of the Organization on a case-by-case basis.

You must provide notice of your need for bereavement leave as far in advance as possible. The Organization may require documentation supporting your need for bereavement leave.

## **7.11 Dental Insurance**

Eligible employees who work an average of 30 hours or more each week may enroll in an employee only, an employee plus children or a family contract on the first of the month following sixty days of employment. Information and enrollment forms may be obtained from the RWA manager.

Our association pays the full cost of an employee contract. If you elect dependent coverage, you are responsible for paying the difference through payroll deduction.

A booklet containing the details of the plan and the eligibility requirements may be obtained from the RWA manager.

Refer to the actual plan document and summary plan description if you have specific questions regarding this benefit plan.

## **7.12 Vision Care Insurance**

Eligible employees who work an average of 30 hours or more each week may enroll in this plan on the first of the month following sixty days of employment.

Our association pays the full cost of an employee contract. If you elect dependent coverage, you are responsible for paying the difference through payroll deduction. Vision care plan benefits are described in detail in the Summary Plan Description (SPD).

## **7.13 Life Insurance**

Eligible employees who work an average of 30 hours or more each week may enroll. You will be required to notify the benefits administrator of your intended beneficiary. Participating employees may also be covered under the plan's Accidental Death and Dismemberment rider.

You also have the option of purchasing additional insurance through our group plan. Refer to the Summary Plan Description (SPD) for details about the benefit.

## **7.14 Employer-Sponsored Disability Benefits**

Rotonda West Association Inc. provides employees that work an average of 30 hours or more each week with disability income protection when they miss work due to nonwork related disabilities. The terms and conditions for the disability insurance program are outlined in the Summary of Plan Benefits. Contact RWA Manager for a copy of the plan provisions and for any questions about the benefit.

## **7.15 Personal Leave of Absence**

Under special circumstances, full-time employees who have completed their introductory period may be granted a leave of absence without pay. The granting of this type of leave is normally for compelling reasons and is dependent upon the written approval of the RWA manager.

Leaves may not exceed 30 days during which time no benefits will accrue. Leaves of absence are granted only after earned vacation is exhausted.

We will make reasonable efforts to return you to the same or similar job you held prior to the leave of absence, subject to our staffing and business requirements.

## **7.16 Exempt Personnel**

If you are classified as exempt at the time of your hiring, you are not eligible for overtime pay as otherwise required by federal, state, or local laws. If you have a question regarding whether you are exempt or nonexempt, contact your Supervisor for clarification.

## **7.17 Unemployment Compensation Insurance Policy**

Unemployment compensation insurance is paid for by Rotonda West Association Inc. and provides temporary income for employees who have lost their job under certain circumstances. Your eligibility for

unemployment compensation will, in part, be determined by the reasons for your separation from the Organization.

## **7.18 Workers' Compensation Insurance Policy**

Workers' compensation is a no-fault system designed to provide benefits to all employees for work-related injuries. Workers' compensation insurance coverage is paid for by employers and governed by state law. The workers' compensation system provides for coverage of medical treatment and expenses, occupational disability leave, and rehabilitation services, as well as payment for lost wages due to work related injuries. If you are injured on the job while working at Rotonda West Association Inc., no matter how slightly, you are to report the incident immediately to your Supervisor. Consistent with applicable state law, failure to report an injury within a reasonable period of time could jeopardize your claim for benefits.

To receive workers' compensation benefits, notify your Supervisor immediately of your claim. If your injury is the result of an on-the-job accident, you must fill out an accident report. You will be required to submit a medical release before you can return to work.

## **7.19 Military Leave (USERRA)**

Rotonda West Association Inc. complies with applicable federal and state law regarding military leave and re-employment rights. Unpaid military leave of absence will be granted to members of the uniformed services in accordance with the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA; with amendments) and all applicable state law. You must submit documentation of the need for leave to your Supervisor or appropriate department. When returning from military leave of absence, you will be reinstated to your previous position or a similar position, in accordance with state and federal law. You must notify your Supervisor of your intent to return to employment based on requirements of the law. For more information regarding status, compensation, benefits, and reinstatement upon return from military leave, contact your Supervisor or appropriate department.

## **8.0 Safety and Loss Prevention**

### **8.1 Drug and Alcohol Policy**

Rotonda West Association Inc. is committed to providing a safe, healthy, and productive work environment. Consistent with this commitment, it is the intent of the Organization to maintain a drug and alcohol-free workplace. Being under the influence of alcohol, illegal drugs (as classified under federal, state, or local laws), or other impairing substances while on the job may pose a serious health and safety risk to others and will not be tolerated.

#### *Prohibited Conduct*

The Organization expressly prohibits employees from engaging in the following activities when they are on duty or conducting Organization business or on Organization premises (whether they are working):

- The use, abuse, or being under the influence of alcohol, illegal drugs, or other impairing substances.
- The possession, sale, purchase, transfer, or transit of any illegal or unauthorized drug, including prescription medication that is not prescribed to the individual, or drug-related paraphernalia.
- The illegal use or abuse of prescription drugs.

While the use of marijuana has been legalized under some state laws for medicinal and/or recreational uses, it remains an illegal drug under federal law. The Organization does not discriminate against employees solely based on their lawful off-duty use of marijuana. You may not consume or be under the influence of marijuana while on duty or at work. If you have a valid prescription for medical marijuana, refer to the Organization Disability Accommodation policy for additional information.

Nothing in this policy is meant to prohibit your appropriate use of over-the-counter medication or other

medication that can legally be prescribed under both federal and state law, if it does not impair your job performance or safety or the safety of others. If you take over-the-counter medication or other medication that can legally be prescribed under both federal and state law to treat a disability, inform your Supervisor if you believe the medication may impair your job performance, safety, or the safety of others or if you believe you need a reasonable accommodation before reporting to work while under the influence of that medication.

### Violations

Violation of this policy may result in disciplinary action, up to and including termination of employment.

## **8.2 Business Closure and Emergencies**

Rotonda West Association Inc. recognizes that inclement weather and other emergencies may affect your ability to get to work. In such situations, your safety is paramount.

### Company Closure

Examples of emergencies when the Organization may close include, but are not limited to, hurricanes, flooding, tornados, and power outages.

### Notification

In an emergency, the Organization will make every effort to notify you of the closing by phone. These notification efforts assume that you have access to electricity and internet and/or phone service.

When the Organization is unable to notify you of the closure, use common sense to assess the safety and practicality of the situation. In a regional power outage, for example, the Organization is likely to have no power. If there is reported flash flooding in your area, report to work only if you can make it safely.

### Partial-Day Closure

If an emergency event such as inclement weather or a power outage occurs, the Organization may decide to close mid-day. When the Organization closes mid-day, you will be instructed to leave immediately so that the conditions do not further deteriorate and affect your ability to travel safely.

If you are exempt and are working at home with prior permission, or at the office on the day of the partial day closure, you will be paid your normal salary for the week. If you are nonexempt, you will be paid for the hours you worked, unless state law dictates otherwise.

### Notified of Closure Prior to Reporting to Work

If you are nonexempt and are notified of a closure prior to reporting to work, you will not be paid during the closure, unless state law dictates otherwise. If you are exempt, you will be paid your normal salary for the week.

### Benefits Coverage

Your health insurance coverage will be maintained by the Organization during the closure on the same basis as if you were still working.

### Extending Leave

When the Organization closure ends, you are expected to report to work. Contact your Supervisor if you cannot return to work at the end of the closure. The Organization recognizes that you may need additional time off to repair extensive home damage or for other emergency situations. These will be assessed on a case-by-case basis.

### If You Cannot Get to Work

Unique circumstances may affect your ability to come to work even when the Organization is able to remain open. The Organization recognizes that in a severe national or regional disaster, all methods of communication may be unavailable; however, you should continue to try and contact your Supervisor, by any method possible.

Time missed under circumstances where the Organization remains open and you are unable to report to work is to be used as vacation time, personal time, or is unpaid.

### **8.3 General Safety Policy**

It is the responsibility of all Rotonda West Association Inc. employees to maintain a healthy and safe work environment. Report all safety hazards and occupational illnesses or injuries to your Supervisor as soon as reasonably possible and complete an occupational illness or injury form as needed. Failure to follow the Organization health and safety rules may result in disciplinary action, up to and including termination of employment.

### **8.4 Policy Against Workplace Violence**

As the safety and security of our employees, vendors, contractors, and the general public is in the best interests of Rotonda West Association Inc., we are committed to working with our employees to provide a work environment free from violence, intimidation, and other disruptive behavior.

#### Zero Tolerance Policy

The Organization has a zero-tolerance policy regarding workplace violence and will not tolerate acts or threats of violence, harassment, intimidation, and other disruptive behavior, either physical or verbal, that occurs in the workplace or other areas. This applies to management, co-workers, employees, and non-employees such as contractors, customers, and visitors.

Workplace violence can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm, damage to property, or any intentional behavior that may cause a person to feel threatened.

#### Prohibited Conduct

Prohibited conduct includes, but is not limited to:

- Physically injuring another person.
- Threatening to injure a person or damage property by any means, including verbal, written, direct, indirect, or electronic means.
- Taking any action to place a person in reasonable fear of imminent harm or offensive contact.
- Possessing, brandishing, or using a firearm on Organization property or while performing Organization business except as permitted by state law.
- Violating a restraining order, order of protection, injunction against harassment, or other court order.

#### Reporting Incidents of Violence

Report to your Supervisor or appropriate department, in accordance with this policy, any behavior that compromises our ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. You are expected to cooperate in any investigation of workplace violence.

#### Violations

Violating this policy may subject you to criminal charges as well as discipline up to and including immediate termination of employment.

#### Retaliation

Victims and witnesses of workplace violence will not be retaliated against in any manner. In addition, you will not be subject to discipline for, based on a reasonable belief, reporting a threat or for cooperating in an investigation.

If you initiate, participate, are involved in retaliation, or obstruct an investigation into conduct prohibited by this policy, you will be subject to discipline up to and including termination.

If you believe you have been wrongfully retaliated against, immediately report the matter to the RWA Manager or President of RWA.

## **9.0 Trade Secrets and Inventions**

### **9.1 Inventions**

Any invention created, in whole or in part, during your work hours, or from the use of equipment or facilities belonging to Rotonda West Association Inc., is a "work for hire" and is the property of the Organization.

If you intend to develop and maintain property rights to any invention that relates in any way to products or services of the Organization, you are required to obtain a written waiver of this policy, signed by both you and the President of RWA.

### **9.2 Confidentiality and Nondisclosure of Trade Secrets**

As a condition of employment, Rotonda West Association Inc. employees are required to protect the confidentiality of Organization trade secrets, proprietary information, and confidential commercially-sensitive information (i.e. financial or sales records/reports, marketing or business strategies/plans, product development, customer lists, patents, trademarks, etc.) related to the Organization. Access to this information should be limited to a "need to know" basis and should not be used for personal benefit, disclosed, or released without prior authorization from management.

If you have information that leads you to suspect that employees are sharing such information in violation of this policy and/or competitors are obtaining such information, you are required to inform your Supervisor or [[Human Resources or appropriate department]].

Violation of this policy may result in disciplinary action up to and including termination, and may subject the violator to civil liability.

## **10.0 Customer Relations**

### **10.1 Customer, Client, and Visitor Relations**

Rotonda West Association Inc. strives to provide the best products and services possible to our customers and clients. Our customers and clients support this business and generate your wages. You are expected to treat every customer, client, or visitor with the utmost respect and courtesy during your working time. You should never argue or act in a disrespectful manner towards a visitor or customer during your working time. If you are having problems with a customer, client, or visitor, notify your Supervisor immediately. If a customer, client, or visitor voices a suggestion, complaint, or concern regarding our products or services, inform your Supervisor or a member of management. Lastly, make every effort to be prompt in following up on customer, client, or visitor orders or questions. Positive customer, client, and visitor relations will go a long way to establishing our Organization as a leader in its field.

# Florida Policies

## Introductory Language and Policies

### Revisions to Handbook

This handbook is our attempt to keep you informed of the terms and conditions of your employment, including Rotonda West Association Inc. policies and procedures. The handbook is not a contract. The Organization reserves the right to revise, add, or delete from this handbook as we determine to be in our best interest, except the policy concerning at-will employment. When changes are made to the policies and guidelines contained herein, we will endeavor to communicate them in a timely fashion, typically in a written supplement to the handbook or in a posting on company bulletin boards.

## Hiring and Orientation Policies

### Disability Accommodation

Rotonda West Association Inc. complies with the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities, including disabilities related to pregnancy, childbirth, and related conditions. Consistent with this commitment, the Organization will provide reasonable accommodation to otherwise qualified individuals where appropriate to allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the business.

If you require an accommodation because of your disability, it is your responsibility to notify your Supervisor. You may be asked to include relevant information such as:

- A description of the proposed accommodation.
- The reason you need an accommodation.
- How the accommodation will help you perform the essential functions of your job.

After receiving your request, the Organization will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. Where appropriate, we may need your permission to obtain additional information from your medical provider. All medical information received by the Organization in connection with a request for accommodation will be treated as confidential.

The Organization encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the Organization is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Organization.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

The Organization will not discriminate or retaliate against employees for requesting an accommodation.

### EEO Statement and Non-harassment Policy

### Equal Opportunity Statement

Rotonda West Association Inc. is committed to the principles of equal employment. We are committed to complying with all federal, state, and local laws providing equal employment opportunities, and all other employment laws and regulations. It is our intent to maintain a work environment that is free of harassment, discrimination, or retaliation because of age (40 and older), sex (including pregnancy, childbirth, and related medical conditions), marital status, race, national origin (including ancestry), disability, creed, religion, genetic information, HIV status, military or veteran status, or any other status protected by federal, state, or local laws. The Organization is dedicated to the fulfillment of this policy in regard to all aspects of employment, including but not limited to recruiting, hiring, placement, transfer, training, promotion, rates of pay, and other compensation, termination and all other terms conditions and privileges of employment.

The Organization will conduct a prompt and thorough investigation of all allegations of discrimination, harassment, or retaliation, or any violation of the Equal Employment Opportunity Policy in a confidential manner. The Organization will take appropriate corrective action, if and where warranted. The Organization prohibits retaliation against employees who provide information about, complain about, or assist in the investigation of any complaint of discrimination or violation of the Equal Employment Opportunity Policy.

We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with your Supervisor or any other designated member of management.

### Policy Against Workplace Harassment

Rotonda West Association Inc. has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual's age (40 and older), sex (including pregnancy, childbirth, and related medical conditions), marital status, race, national origin (including ancestry), disability, creed, religion, genetic information, HIV status, military or veteran status, or any other status protected by federal, state, or local laws. All forms of harassment of, or by, employees, vendors, visitors, customers, and clients are strictly prohibited and will not be tolerated.

### Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment; (2) submission to, or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment:

- Unwelcome requests for sexual favors;
- Lewd or derogatory comments or jokes;
- Comments regarding sexual behavior or the body of another;
- Sexual innuendo and other vocal activity such as catcalls or whistles;
- Obscene letters, notes, emails, invitations, photographs, cartoons, articles, or other written or pictorial materials of a sexual nature;
- Repeated requests for dates after being informed that interest is unwelcome;
- Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to the Organization or any government agency;
- Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and
- Any unwanted physical touching or assaults, or blocking or impeding movements.

### Other Harassment

Other workplace harassment is verbal or physical conduct that insults or shows hostility or aversion towards an individual because of the individual's age (40 and older), sex (including pregnancy, childbirth,

and related medical conditions), marital status, race, national origin (including ancestry), disability, creed, religion, genetic information, HIV status, military or veteran status, or any other status protected by federal, state, or local laws.

Again, while it is not possible to list all the circumstances that may constitute other forms of workplace harassment, the following are some examples of conduct that may constitute workplace harassment:

- The use of disparaging or abusive words or phrases, slurs, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above protected categories;
- Written or graphic material that insults, stereotypes, or shows aversion or hostility towards an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on our premises, or circulated in the workplace; and
- A display of symbols, slogans, or items that are associated with hate or intolerance towards any select group.

### Reporting Discrimination and Harassment

If you feel that you have witnessed or have been subjected to any form of discrimination or harassment, immediately notify the RWA Manager or any member of management.

The Organization prohibits retaliation against employees who, based on a reasonable belief, provide information about, complain, or assist in the investigation of any complaint of harassment or discrimination.

We will promptly and thoroughly investigate any claim and take appropriate action where we find a claim has merit. To the extent possible, we will retain the confidentiality of those who report suspected or alleged violations of the harassment policy.

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the Organization determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the Organization may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. In all cases, the Organization will follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

### **Religious Accommodation**

Rotonda West Association Inc. is dedicated to treating its employees equally and with respect and recognizes the diversity of their religious beliefs. All employees may request an accommodation when their religious beliefs cause a deviation from the Organization dress code or the individual's schedule, basic job duties, or other aspects of employment. The Organization will consider the request, but reserves the right to offer its own accommodation to the extent permitted by law. Some, but not all, of the factors that will be considered are cost, the effect that an accommodation will have on current established policies, and the burden on operations — including other employees — when determining a reasonable accommodation. At no time, will the Organization question the validity of a person's belief.

If you require a religious accommodation, speak with your Supervisor or appropriate department.

### **Wage and Hour Policies**

#### **Accommodations for Nursing Mothers**

Rotonda West Association Inc. will provide nursing mothers reasonable paid break time to express milk for their infant child(ren) for up to one year following the child's birth.

If you are nursing, you will be provided with a space, other than a restroom, that is shielded from view and free from intrusion from co-workers and the public.

Expressed milk can be stored in company refrigerators, personal cooler, or other location. Sufficiently mark or label your milk to avoid confusion for other employees who may share the refrigerator.

Break time should, if possible, be taken concurrently with any other break time already provided. If you are nonexempt, clock out for any time taken that does not run concurrently with normally scheduled rest periods, and such time will be paid in accordance with federal law.

You are encouraged to discuss the length and frequency of these breaks with your Supervisor.

No provision of this policy applies, or will be enforced, if it conflicts with or is superseded by any requirement or prohibition contained in a federal, state, or local law, or regulation.

## **Meal and Rest Periods**

Rotonda West Association Inc. strives to provide a safe and healthy work environment and complies with all federal and state regulations regarding meal and rest periods. Check with your Supervisor regarding procedures and schedules for rest and meal breaks. The Organization requests that employees accurately observe and record meal and rest periods. If you know in advance that you may not be able to take your scheduled break or meal period, let your Supervisor know; in addition, notify your Supervisor as soon as possible if you were unable to or prohibited from taking a meal or rest period.

## **Overtime**

If you are nonexempt, you may qualify for overtime pay. All overtime must be approved in advance, in writing, by your Supervisor.

At certain times Rotonda West Association Inc. may require you to work overtime. We will attempt to give as much notice as possible in this instance. However, advance notice may not always be possible. Failure to work overtime when requested or working unauthorized overtime may result in discipline, up to and including discharge.

Unless otherwise required or exempted by law, overtime pay of one and one-half times your regular rate of pay is paid for any hours worked in excess of 40 hours in a workweek. Holidays, vacation days, and sick leave days do not count as time worked for computing overtime.

## **Pay Period**

At Rotonda West Association Inc., the standard pay period is biweekly for all employees. Pay dates are on Friday. If a pay date falls on a holiday, you will be paid on the last working day before the holiday. If a pay date falls on a Saturday, paychecks will be issued on Friday. If a pay date falls on a Sunday, paychecks may be issued on Monday. Special provisions may be required from time to time if holidays fall on pay dates. Check with your Supervisor if this type of date arises. The workweek starts on Monday and ends on Sunday.

If you are paid by commission, refer to your commission agreement.

Review your paycheck for accuracy. If you find an issue, report it to your Supervisor immediately.

## **Performance, Discipline, Layoff, and Termination**

### **Disciplinary Process**

Violation of Rotonda West Association Inc. policies or procedures may result in disciplinary action including demotion, transfer, leave without pay, or termination of employment. The Organization encourages a

system of progressive discipline depending on the type of prohibited conduct. However, the Organization is not required to engage in progressive discipline and may discipline or terminate employees who violate the rules of conduct, or where the quality or value of their work fails to meet expectations at any time. Again, any attempt at progressive discipline does not imply that your employment is anything other than on an "at-will" basis.

In appropriate circumstances, management will first provide you with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, eventual demotion, transfer, forced leave, or termination of employment. Your Supervisor will make every effort possible to allow you to respond to any disciplinary action taken. Understand that while the Organization is concerned with consistent enforcement of our policies, we are not obligated to follow any disciplinary or grievance procedure and that depending on the circumstances, you may be disciplined or terminated without any prior warning or procedure.

## **General Policies**

### **Access to Personnel and Medical Records Files**

Rotonda West Association Inc. maintains separate medical records files and personnel files for all employees. Files containing medical records are stored separate and apart from any business-related records in a safe, locked, inaccessible location. The medical file is the repository for sensitive and confidential information related to an individual's health, health benefits, health-related leave and/or accommodations, and benefits selections and coverage. Medical records are kept confidential in compliance with applicable laws and access is on a "need-to-know" basis only.

Supervisors and others in management may have access to your personnel file for possible employment-related decisions. If you wish to review and/or copy your personnel or medical records file, you must give the Organization reasonable notice. Inspection must occur in the presence of an Organization representative.

All requests by an outside party for information contained in your personnel file will be directed to the RWA Manager, which is the only department authorized to provide such information.

## **Benefits**

### **Jury Duty Leave**

Rotonda West Association Inc. encourages employees to fulfill their civic duties related to jury duty. If you are summoned for jury duty, provide a copy of the jury duty notice and notify your Supervisor as soon as possible to make scheduling arrangements.

If you are classified as exempt, you will not incur any deduction in pay for a partial week's absence due to jury duty. If you are classified as nonexempt, you will not be compensated for time spent on jury duty.

The Organization reserves the right to require employees to provide proof of jury duty service to the extent authorized by law.

The Organization will not retaliate against employees who request or take leave in accordance with this policy.

We expect you to return to your job if you are excused from jury duty during your regular working hours.

## **Voting Leave**

If your work schedule prevents you from voting on Election Day, Rotonda West Association Inc. will allow you a reasonable time off to vote. The time when you can go to vote will be at the discretion of your Supervisor, consistent with applicable legal requirements.

## **Safety and Loss Prevention**

### **Smoking Policy**

Our association is committed to providing a safe and healthy environment for employees and visitors. Smoking and vaping is allowed only in designated areas outside the building. Violations of this policy may result in disciplinary action, up to and including discharge.

## **Closing Statement**

Thank you for reading our handbook. We hope it has provided you with an understanding of our mission, history, and structure as well as our current policies and guidelines. We look forward to working with you to create a successful Organization and a safe, productive, and pleasant workplace.

Manager,

Rotonda West Association Inc.

## Acknowledgment of Receipt and Review

By signing below, I acknowledge that I have received a copy of the Rotonda West Association Inc. Employee Handbook (handbook) and that I have read it, understand it, and agree to comply with it. I understand that the Organization has the maximum discretion permitted by law to interpret, administer, change, modify, or delete the rules, regulations, procedures, and benefits contained in the handbook at any time with or without notice. No statement or representation by a supervisor, manager, or any other employee, whether oral or written, can supplement or modify this handbook. Changes can only be made if approved in writing by the President of the Organization. I also understand that any delay or failure by the Organization to enforce any rule, regulation, or procedure contained in the handbook does not constitute a waiver on behalf of the Organization or effect the right of the Organization to enforce such rule, regulation, or procedure in the future.

I understand that neither this handbook nor any other communication by a management representative or other, whether oral or written, is intended in any way to create a contract of employment. I further understand that, unless I have a written employment agreement signed by an authorized Organization representative, I am employed "at-will" (to the extent permitted by law) and this handbook does not modify my "at-will" employment status.

If I am covered by a written employment agreement (signed by an authorized Organization representative) or a collective-bargaining agreement that conflicts with the terms of this handbook, I understand that the terms of the employment agreement or collective-bargaining agreement will control.

This handbook supersedes any previous handbook or policy statements, whether written or oral, issued by Rotonda West Association Inc..

If I have any questions about the content or interpretation of this handbook, I will contact Lead Administrator.

I understand that my worksite employer, Rotonda West Association Inc., has entered into an agreement with Paychex Business Solutions whereby Paychex Business Solutions has agreed to assign individuals to perform services for Rotonda West Association Inc. in connection with the agreement. I understand that for certain purposes I may be a co-employee of Paychex Business Solutions, and that this relationship may be terminated at-will at any time by me, Rotonda West Association Inc., or Paychex Business Solutions for any reason, with or without cause or notice, unless otherwise prohibited by law.

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Signature

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Date

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Print Name